

SECOND MODIFICATION TO  
LEASE 40085-17-RP-00077  
BETWEEN  
THE UNITED STATES OF AMERICA  
AND  
BEN MOREELL SOLAR FARM, LLC

THIS SECONDED MODIFICATION, effective the 20TH day of December 2018, by and between the UNITED STATES OF AMERICA, acting by and through the Secretary of the Navy, hereinafter referred to as “Government,” and Ben Moreell Solar Farm, LLC, hereinafter referred to as ‘Lessee’

WITNESSETH

Whereas, the Government and the Lessee recently entered into Lease N40085-17-RP-00077 dated 8 June 2017, and that certain first modification dated 14 June 2018, collectively hereinafter referred to as “the Lease”; and

Whereas, the parties have agreed together to amend the lease to amend the term dates of the Lease;

Now therefore, in consideration of mutual benefits to the Government and to the Lessee, the parties hereby agree to modify the Lease as follows:

1. Page 1, Paragraph 2, revise the Effective date and Expiration Date. Revise Paragraph to as shown:

“**2. TERM**. The term of this Lease shall begin on 1 April, 2019, or such earlier date when Lessee delivers a notice to the Government stating that Lessee wishes to make this Lease effective, and Government authorizes (the expiration of such period or date of such authorization, as applicable, being the “Effective Date”), and end on, 31 December, 2055, (thirty-seven (37) years from Effective Date), unless sooner terminated under Paragraph 14 (the “Expiration Date”)“ .

The accrual period end date, as defined in Paragraph 3.3.1, will remain the same at 30 June 2021.

All other terms and conditions of the Lease shall remain in full force and effect.

--Signatures provided on next page--

In witness whereof, the parties hereto have executed this modification effective as of the day and year first written above.

UNITED STATES OF AMERICA,  
acting by and through the Secretary  
of the Navy

BEN MOREELL SOLAR FARM, LLC

(b) (6)



Date: 20 December 2018

Date: 20 December 2018